

REMARKS

1. Claims 1 and 17 are amended.
2. Claims 1-2, 4, 10-13, 16-18 and 21-24 are not anticipated by Ebrahimi under 35 U.S.C §102(b).

Ebrahimi does not disclose or suggest a "writing start area" and a "handwriting input area" as are claimed by Applicant. Referring to FIG. 2 of Applicant's specification, handwritten information can be entered into the "**handwriting input area 270**". (page 11, lines 23-25. The "handwriting input area 270 is indicated as a dashed rectangle and occupies a majority of the available presentation area of the display screen 240." (page 11, lines 25-28. Only if the handwritten input starts within a "**handwriting start area 280**" will the apparatus assume a logical pen mod and the handwritten input be processed. (page 12, lines 11-16).

Ebrahimi discloses "writing **areas 42**", which the Examiner equates to the "writing start area" claimed by Applicant, referring to Figure 2, reference 42 of Ebrahimi. The writing areas 42 are "designated for entering the handwritten information." (Col. 3, lines 25-28).

The Examiner states that "Ebrahimi clearly teaches 'a writing start area (fig. 2(42)). The Examiner is referring to one of the areas of 42 as 'a writing start area' which is smaller than the 'handwriting input area (fig. 1(16))." However, the "text window 16" disclosed by Ebrahimi is not the same as the "handwriting input area" claimed by Applicant.

In Ebrahimi, the "text window 16" is not an area for handwriting input as is claimed by Applicant. Rather, in Ebrahimi, a "recognized character is placed at a cursor insertion point 14 in a text window 16. The two handwriting boxes allow the user to print characters. The handwriting application needs to recognize the printing, and then the "recognized character" is placed in the text window 16. (Col. 2, lines 5-12). However,

as claimed by Applicant, a "handwritten user input" ends within the handwriting input area. Ebrahimi does not have such a user input or allow for such user input in the text window 16. The user input is only to the designated writing boxes. (col. 2, lines 58-59; col. 3, lines 26-29).

Ebrahimi does not disclose or suggest that a user input "starts within said writing start area", such as area 280 of FIG. 2, and "ends anywhere within the handwriting input area", such as area 270 of FIG. 2. Thus, claims 1 and 17 cannot be anticipated.

Ebrahimi also cannot disclose or suggest that the "writing start area is substantially smaller than said handwriting input area" as claimed by Applicant. As noted, Ebrahimi does not disclose or suggest a "writing start area" **and** a "handwriting input area" as claimed by Applicant. Ebrahimi discloses "writing areas 42", which the Examiner equates to the "writing start area" claimed by Applicant. As noted above, Ebrahimi discloses that the user enters handwritten inputs into these designated boxes. The "text window 16" is not an area where the user can enter a handwritten input or make any kind of selection. Rather, the "recognized character" is placed at a cursor insertion point 14 in a text window 16. This text window 16 cannot be equated to either the "writing start area" or the "handwriting input area" claimed by Applicant. Thus, this feature claimed by Applicant is also not anticipated by Ebrahimi.

Ebrahimi discloses a graphical handwriting user interface, which helps the user to understand the functionality of the handwriting recognition user interface. Ebrahimi provides writing boxes for a user to write in. A user selects, prior to writing, the type of symbol he chooses to write, for instance upper case letters, lower case letters or numbers. Thereafter, an image depicting the symbol type to be entered is shown for a predetermined amount of time inside a writing box, so that the user will understand what to write inside the writing box and how large the symbol to be entered should be, so that the handwriting recognition software can detect the entered symbol. Thus, the entered symbol must be completed within the writing box.

Applicant's claimed subject matter on the other hand provides a solution to determining whether a stylus for input on a touch-sensitive display screen is used as a logical mouse or as a logical pen. For instance, when used as a logical mouse, a user can scroll the scroll bars of a menu. When used as a logical pen, a user can enter symbols such as capital letters or small letters. In order for the stylus to act as a logical pen, a user must **start to write** a symbol **inside a writing start area**, smaller than a handwriting input area, but may **finish the symbol anywhere within the handwriting input area, including outside of this writing start area**. Thus, a single symbol can have some parts inside the writing start area and some parts outside of this area. The handwriting input area is advantageously much larger than the writing start area, and can be essentially the entire display screen. Hence, as an example, menu items can be placed inside the handwriting input area, which in logical pen mode are not affected by the stylus, that is, the menu functions does not work as long as the logical pen mode is enabled. This is clearly **not** what Ebrahimi discloses.

Claims 13 and 24 recite that processing device is configured to interpret the user input as a symbol from a first symbol set if the user input starts within a first subarea of the writing start area, and as a symbol from a second symbol set if the user input starts within a second subarea of the writing start area. There is no such disclosure in Ebrahimi. The Examiner refers to Figures 7 and 8 of Ebrahimi. However, Figures 7 and 8 only illustrate the animation of the character image that is displayed within the writing boxes. The animated character images 84 and 86 inform the user of which handwriting mode is selected and the form of entry. (Col. 4, lines 44-52). There is no disclosure here or elsewhere that a user input into a first area is interpreted as a symbol from a first symbol set and an input into a second area is interpreted as a symbol from a second symbol set. Rather, Ebrahimi displays watermarks in the writing input areas so the user can know the "form by which characters are to be inputted." (Col. 4, lines 22-25). This is not the same as what is claimed by Applicant. Thus, claims 13 and 24 are not anticipated by Ebrahimi.

Claims 1 and 17, and the claims that depend there from, are not anticipated by Ebrahimi.

3. Claims 3, 5-9, 14, 15, 19, 20 and 25 are not unpatentable over Ebrahimi and Seni under 35 U.S.C §103(a). These claims should be allowable at least by reason of their respective dependencies on claim 1 for the reasons stated above.

Also, it is again respectfully submitted that there is no motivation to combine references to achieve what is claimed by Applicant for purposes of 35 U.S.C. 103(a). Any such suggestion can only be made with hindsight knowledge of what is claimed by Applicant. The law remains that there must be some motivation or suggestion to combine references and the combination must result in what is claimed by Applicant. There is no such motivation or suggestion in either Ebrahimi or Seni.

Ebrahimi is directed to "writing start areas 42" that comprise the area, size and location of the handwriting input area. (FIG. 2 (42)). Ebrahimi includes a "water mark" in each writing area that allows the user to know where the writing area is as well as the form and stroke by which the handwritten input is to be entered. (Col. 3, lines 26-39) Thus, the user can see from Ebrahimi what type of handwriting input is required in the input area.

Seni is directed to message composition on small screen devices. A single handwriting input area 104 is provided. The writing area continuously moves from right to left. [0017].

Applicant's claimed subject matter is directed to a "writing start area" that can be of an arbitrary size and in particular "substantially smaller" than the handwriting input area. There is no suggestion in either Ebrahimi or Seni to combine references to achieve this result and the combination cannot achieve what is claimed by Applicant. Neither Ebrahimi nor Seni make any mention of a "writing start area" as claimed by Applicant. Neither Ebrahimi nor Seni disclose or suggest that there is any area that is

"substantially smaller" than the handwriting input area. All the writing areas in Ebrahimi and Seni are of a fixed size.

Applicant's claimed subject matter is directed towards the problem of discriminating between logical pen mode and mouse mode and reducing accidental mode changes from logical mouse when logical pen is intended, and facilitating switching between different symbol sets for handwriting recognition. Neither Ebrahimi nor Seni address this particular problem. As stated in *KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct 1727, 1741 (April 30, 2007), there must be some "need or problem" in the field at the time of the invention to provide a reason for combining the prior art. *Id.* at 1741. Thus, one of ordinary skill in the art would not look to this combination of references in an effort to solve the problem addressed by Applicant. Therefore, there is no motivation to combine the references for purposes of 35 U.S.C. 103(a).

The Examiner states that "advancement" provides the reason to combine the references. This position is respectfully traversed. An "obviousness" rejection requires that there be some reason to "prompt" a person to combine elements in the way the claimed subject matter does. *Id.* at 1741. There is no such need or reason here. "Advancement" is not a reason, and does not address any "need or problem" in the field at the time of the invention to provide a reason for combining the prior art. *Id.* at 1741. "Advancement" is mere speculation that the combination of references might provide some advantage. Thus, the use of "advancement" as the basis for the motivation or suggestion to combine references is merely argumentation to combine references with no real or intended goal in mind and a conclusory statement of undocumented suggestion. It does not and cannot serve as a basis for the finding of "suggestion" or "motivation" as required for purposes of 35 U.S.C. 103(a).

Additionally, even if there were some motivation to combine references, which it is maintained there is not, the combination does not and cannot result in what is claimed by Applicant. At most the combination might result in a handwriting input area that appears to move right to left (Seni), and where the writing area includes watermark

characters that indicate the form of the writing input. This is not what is claimed by Applicant.

The interaction of Ebrahimi is much different than that in Applicant's claimed subject matter. In Ebrahimi, the input of an instance of a number requires the user to select a "write numbers button" (FIG. 1 (22)), and then write the number with a stylus in one of the writing areas. (FIG. 2 (42)). However, Applicant describes the ability to simply place the stylus in one of the sub-areas, in this case the sub-area with numbers (FIG. 2 (286)), in the writing start area (FIG. 2 (280)) and write the number to be input. Applicant's solution is much simpler than what is disclosed by Ebrahimi since it eliminates the additional action of selecting the "write numbers" button of Ebrahimi. Thus, Applicant provides **advantages heretofore unseen or realized** with Ebrahimi or Seni, or the combination thereof. Therefore, one would **not** be motivated to combine the Ebrahimi and Seni to attempt achieve what is claimed by Applicant.

Further, with respect to claim 3, claim 3 recites that if a pen down event is not followed by a pen move event the input *is interpreted as a user interface control operation*. This is not disclosed by the combination of Ebrahimi and Seni. As noted by the Examiner, this particular feature is not disclosed by Ebrahimi. However, Seni does not disclose that if a pen down event is not followed by a pen move event, the device is configured to interpret the user input as a **"user interface control operation."** Thus, since neither Ebrahimi nor Seni disclose at least this feature, there combination cannot.

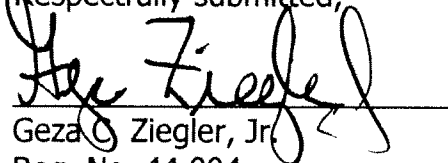
Thus, it is respectfully submitted that there is no legal motivation to combine Ebrahimi and Seni, and even if there were, the combination does not disclose each and every element recited by Applicant in the claims. Therefore, claims 3, 6-9, 14, 15, 19 and 20, as presented, should be allowable.

10/817,287

RESPONSE TO OA MAILED Aug 22, 2007

The Commissioner is hereby authorized to charge any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Geza Ziegler, Jr.
Reg. No. 44,004

26 Dec 2007
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being transmitted electronically, on the date indicated below, addressed to the Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 12/26/07

Signature: 

Natasha Robinson
Name